IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

WP(C).No. 24675 of 2007(K)

AGAINST THE ORDER IN EP.38/2007 IN
OS.439/2004 of MUNSIFF COURT, VADAKARA
.....

PETITIONER:

P.M. RAJAN,
RESIDING AT SOUPARNIKA, JANATHA ROAD, VADAKARA.

BY ADV. SRI.C.VALSALAN
SRI.K.RAKESH ROSHAN
SMT.THUSHARA.V

RESPONDENTS:

POLAR INTERNATIONAL LTD.,
ERNAKULAM BRANCH, REP. BY BRANCH ACCOUNTANT,
MR. DINESH D., S/O.DIVAKARA KAMATH,KAMATH BUILDING
NORTH KALAMASSERY.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN,J

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W.P.(C).24675 OF 2007

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Dated this the 14th day of August, 2007

JUDGMENT

This writ petition is filed seeking a direction to the Munsiff court, Vadakara, to issue a copy of the order dated 17.7.2007 and to direct the learned Munsiff to allow the petitioner to pay the decree debt in monthly instalments.

Heard the learned counsel. It is submitted by him that his client had filed a detailed counter and he was laid up with ailment and the court below without considering those aspects had passed an order of arrest. He wants to prefer appropriate remedy against that order. I direct the court below to issue him a certified copy of the order at the earliest if sufficient application is already made on that behalf. I also direct the court below not to execute the arrest warrant for a period of six weeks from today so as to enable the writ petitioner to seek his remedy before the appropriate forum.

M.N.KRISHNAN,JUDGE

dvs